

REMARKS

An Office Action was mailed on January 15, 2009 making a restriction requirement and requiring an election.

Election Subject to Traverse

Provisionally, Applicant hereby elects Species VI, Figs. 11 and 12 directed to a baffled animal toy, for prosecution on the merits subject to traverse. Claims 1 and 10 are deemed generic.

The Examiner has determined that claims 1, 3, 4, 6, 7, 10, 11, 13, 18, and 21. Applicant respectfully traverses that claim 15 reads on the provisionally elected species.

Claim 15 recites:

15. A shock absorbing steering column apparatus according claim 11, wherein the engaging portions positioned unevenly with respect to the circumferential direction respectively exist in positions separated in the axial direction of the overlap portion of the outer column and the inner column, and of each of the engaging portions, the number of engaging portions upon which the bending force acts at the time of a collision is made to be greater than the number of the other engaging portions.

As shown below each of the limitation of claim 15 are present in Fig. 11 or 12. As taught with respect to Figs. 11 and 12 at pg. 61, line 10 et al. (corresponds to ¶ 0151) and at pg. 22, line 11 et al. (¶ 0047) the number of engaging portions upon which the bending force acts at the time of a collision is made is greater than the number of the other engaging portions

Fig. 11

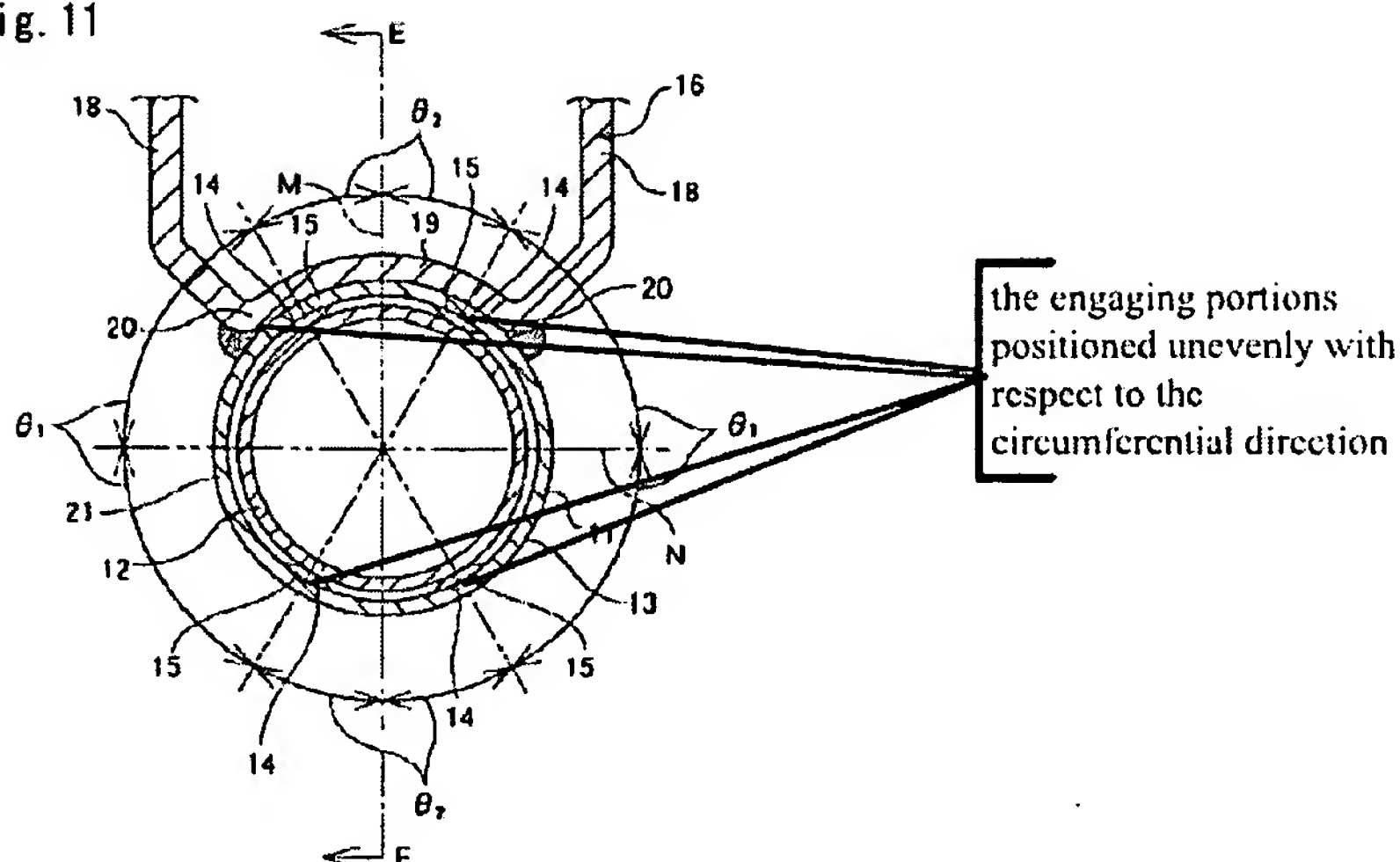
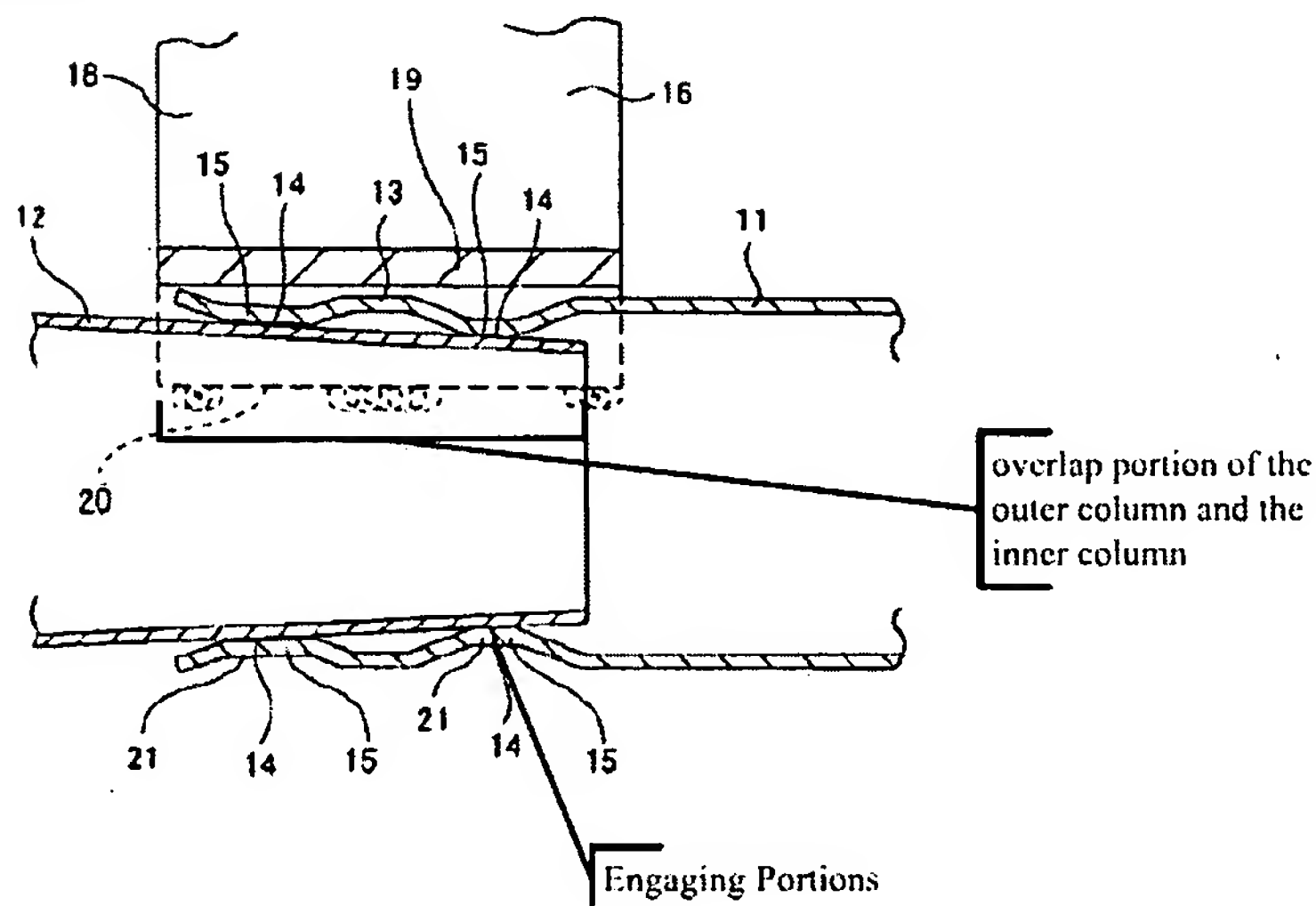


Fig. 12



Accordingly, the Examiner is respectfully requested to permit claim 15 to be examined with Species VI.

In view of the remarks set forth above this application is in condition for examination ready passage to allowance which is respectfully requested. However, if for any reason the examiner should consider this application not to be in condition for examination or allowance, the examiner is respectfully requested to telephone the attorney at the number listed below prior to the issue of further action.

Any fee due with this paper, including any extension fees, may be charged to Deposit Account No. 50-1290.

Respectfully submitted,

/Hassan A. Shakir/
Hassan A. Shakir
Reg. No. 53,922
(212) 940.6489

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